

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY,
INDIANA, HELD A PUBLIC HEARING IN THE THIRD FLOOR ASSEMBLY
ROOM OF THE CITY/COUNTY BUILDING ON FRIDAY, SEPTEMBER 14,
2007.**

Mr. Kochert called the public hearing to order at 2:00 p.m. and stated that they are here today to get in-put from the public on the redistricting of the council districts.

Mr. Gahan asked who decided that the time would be 2:00 p.m.

Mr. Kochert stated that the time was chosen for the nearest possible availability of the room and to give legal notice.

Mr. Gahan stated that he just wanted it on record that there were people that wanted to attend this meeting but were unable to because it was scheduled in the middle of a work day.

Mr. Kochert asked the city clerk to have a roll call of members. Those present were Mr. Coffey, Mr. Schmidt, Mr. Price, Mr. Gahan, Mr. Messer, Mr. Zurschmiede and Mr. Kochert. Mrs. Crump and Mr. Blevins were not present.

Randy Smith addressed the council with a prepared statement which is attached hereto and made a part of the record. He pointed out to the council that the numbers that they are working with from the 2002 census are wrong.

Linda Moeller, County Clerk, addressed the council regarding how the redistricting will affect the county clerk's office. She informed them that the County Commissioners are currently working on redistricting the precincts and they will be combining some precincts and eliminating the A – B precincts. She asked that while they were working on this that they not split precincts in order to avoid confusion and frustration. She stated that anytime you split an area it could cost more because you may need more poll workers and you never want to lose voters but she feels in all of this confusion it may happen.

Mr. Smith explained that the law does not consider the confusion, inconvenience or cost to the county clerk's office. He stated that they are here to urge them not to rush into this because it does not correct the problems of the misrepresentation that has been going on in the city.

Mr. Gahan informed the council that he stopped by the County Commissioners office and talked with them about the redistricting of the precincts and he gave copies of the proposed map to the other council members.

Mr. Price asked if this is going to happen how it would affect the plans that they have been discussing.

Mr. Kochert stated that he is not sure if it is going to happen but the judge did say they had to have a plan before him by November 22nd and he has already penciled in the court date if they have not come up with a plan.

Mr. Beardsley stated that they do not have a court order to present a plan by November 22, but they did have an agreement in principal to have a plan by then.

Mayor Garner stated that he wanted to go back to 2002 when they were working on their redistricting and were told by the city attorney that because they missed the general election day that they should not redistrict because it was supposed to be done by that day and he is not sure if this is the law but it might be the same for the county as well that if you haven't redistricted by a previous election date that you aren't allowed to do so.

Jerry Ulrich stated that under 3-11-22 it reads that the legislative body may not change the boundary of a district after November 8th of the year proceeding the year in which the election was to be held.

Mayor Garner stated that in the past in Jeffersonville a similar case was taken to court and they put two precincts off in their primary election until they were able to comply with the state law for a municipal election. He said he isn't sure how the county redistricting would differ.

Ms. Moeller explained that the commissioners had to redistrict because they base their precincts on the number of registered voters and they cannot exceed 1200 in any precinct but there are precincts with more than that number of voters.

Mr. Kochert asked if there was any other input.

There being no further business to be heard, the public hearing adjourned at 2:44 p.m.

Larry Kochert, President
Common Council, City of New Albany

ATTEST: _____
Marcey J. Wisman, City Clerk